

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANA J. FERNANDEZ,
Petitioner,

v.

T. JUSINO, Warden,
Respondent.

Case No. [23-cv-02399-AMO](#) (PR)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**


This action was reassigned from a magistrate judge to the undersigned in light of a recent Ninth Circuit decision.¹ On May 16, 2023, Petitioner, a federal prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. On May 17, 2023, the Clerk of the Court sent a notification to Petitioner informing her that her action could not go forward until she paid the full filing fee or filed a completed prisoner's *in forma pauperis* ("IFP") application. The Clerk sent Petitioner a blank IFP application and told her that she must pay the fee or return the completed application within twenty-eight days or her action would be dismissed.

More than twenty-eight days have passed, and Petitioner has not paid the filing fee or returned the IFP application.

IT IS HEREBY ORDERED THAT this action is **DISMISSED WITHOUT PREJUDICE**. The Clerk shall close the file. Any motion to reopen must contain either the full filing fee or a completed IFP application.

IT IS SO ORDERED.

Dated: July 19, 2023


ARACELI MARTÍNEZ-OLGUÍN
United States District Judge

¹ *Williams v. King*, 875 F.3d 500, 503 (9th Cir. 2017) (magistrate judge lacked jurisdiction to dismiss case on initial screening because unserved defendants had not consented to proceed before magistrate judge).